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RESULTS OF THE INITIATIVE AND REFERENDUM IN OREGON

BY HON. W. S. U'REN
Oregon City, Oregon

In writing this paper for The American Political Science Association, I beg first to correct the statement that I am speaker of the Oregon assembly. I never held that office and it is more than ten years since I was a member.

The every day use of a new piece of machinery under working conditions is the best test of its value. Therefore I shall mention briefly some results of five years use of the initiative and referendum in Oregon.

The whole number of electors voting at general elections since 1902 varies from about 93,000 to 97,000. The number voting on measures is from 67 to 89 per cent of the highest number voting for officers. The smallest majority by which any measure has been approved was 3118 and the largest was 64,512. The smallest majority by which any measure has been rejected was 9747 and the largest was 13,000. Woman suffrage and the local option law received the highest percentages of votes, showing that men do not vote on questions they do not understand. Very few men confess ignorance on either of these questions.

The legislature of 1903 appropriated money to build a portage railroad on the Columbia River to extend the water transportation service. Railroad men circulated a referendum petition against the bill, whereupon the Portland chamber of commerce resolved that if the petition was filed it would propose a maximum railroad rate bill by initiative petition. The railroad's referendum petition was not filed.

General Election, 1904. A primary nominating election law was proposed by initiative petition and enacted by the people. This law killed the political party bosses and destroyed their machines, both State and municipal, from constable to United States senator. Under its provisions the people selected two United States senators at the

June election in 1906, and their choice was almost unanimously ratified by the legislature in twenty minutes; the usual time under the old plan was forty days. There was no hint or charge of bribery, corruption or undue influence in any form.

In June, 1904, a local option liquor law was proposed by initiative petition and enacted by the people. Under this law eight counties and many precincts in other counties have voted "dry." The liquor dealers made a savage and costly campaign against this bill; they tried to amend it out of existence in the legislature of 1905, and again by initiative petition before the people in 1906, but the last defeat was by three times the first majority. Most of the university and college counties and towns are "dry."

The legislature of 1905 was controlled in many things by a combination of the representatives and senators from the six counties in which are located the State university, agricultural college and four normal schools.

Three of the latter were created as a part of legislative bargains and log-rolling for United States senators or other equally useless purposes. There was and is much dissatisfaction with them on that account. They put their appropriations in the general appropriation bill for the maintenance of the State government, contrary to the constitution but in accordance with the custom of many years, so that the governor would not veto it. The log-rollers attempted to put their appropriations beyond the people by attaching an emergency clause, but the governor told them he would veto the bill if they passed it in that form; for that reason only they abandoned the emergency clause, leaving the whole bill subject to referendum petition. A referendum petition was filed but thereafter neglected. No further contest was made against the appropriation bill and it was approved at the general election in 1906. But it stopped the practice of log-rolling many appropriations into one bill. The legislature of 1907 obeyed the constitution in that respect.

General Election, 1906. The people approved four amendments to the constitution proposed by initiative petitions; extending the reservation of the initiative and referendum powers to all local, special and municipal legislation; referendum against items, parts and sections of any bill; granting home rule to cities and towns in all their municipal affairs, free from interference by the legislature and limited only by the constitution and criminal laws of the State; allowing one legislature to propose amendments to the constitution (the former

provision required the proposal by two consecutive legislatures) and requiring the governor to decide and proclaim whether an amendment is adopted, following the Maine and Maryland constitutions in that respect; granting greater legislative power over the State printing and compensation therefor; enacted two corporation tax laws and an anti-pass law, but the latter was void because the enacting clause was forgotten.

Proposed by Initiative Petition and Rejected. A constitutional amendment for woman suffrage; a bill to sell the State a toll road for \$24,000 on which the promoters were making a profit of \$16,000; a bill proposed by the liquor dealers to amend the local option law.

These measures were prepared by six different organizations; the State Grange had two, The People's Power League five, and the others one each.

In 1904, Portland granted a franchise to a new telephone company on municipal initiative petition. The city council had refused to grant it, though better terms were offered the city than ever before.

In 1907, the people of Portland, at their municipal election, voted on nineteen charter amendments and ordinances under their initiative and referendum powers. Most of the measures were proposed by the council. A number of proposals for franchise grants have been abandoned since 1905 because of threats of the referendum. Many cities have amended or rejected proposed amendments to their charters, some offered by initiative petition and some by the city councils.

The legislature of 1907, under its new power, submitted four amendments to the constitution; one to change the general election from June to the date of November congressional elections; one authorizing legislation for the improvement of the judicial system; one to increase the pay of legislators from \$120 to \$400 for a regular session and one to allow the people to establish State institutions at other places than the State capitol.

Four referendum petitions have been filed against acts of the legislature; one against a bill appropriating \$100,000 to build armories; one against a bill denying the right of eminent domain to railroads which do not agree to carry State officers free of charge; one against a bill which would result in increasing the profits of the sheriff's office in counties of 50,000 population and over; one against a standing appropriation of \$125,000 for the State university. As to the latter, it is a positive expression of what used to be the very general

feeling that those wanting the higher education should pay for it, and that the State does its full duty when it teaches the "three Rs." The appropriation is not the result of anything like previous log-rolling combinations, and is very moderate if the State is to maintain a university at all. It is to be hoped that this appropriation will be approved by a great majority of the voters, and a vigorous educational campaign is to be made for it.

Initiative petitions are in preparation for constitutional amendments as follows: woman suffrage; exempting from taxation factories, machinery, and residence buildings, but not land or lots on which they are situated; authorizing enactment of laws for proportional representation and majority elections; for the recall against public officers.

Initiative petitions for statute laws: a bill for a salmon fisheries law; a bill instructing the legislature to elect for United States senators those candidates selected by the people at their general elections; a corrupt practices law modeled on the British acts of 1883 and 1895, but also providing for the circulation of campaign literature partly at the public expense.

It is probable that there will be fifteen important measures on the ballot for the voter's approval or rejection next June.

SUMMARY

The people have abolished party bosses and political machines; made the liquor question and prohibition a purely local issue; increased the legislature's respect for the constitution; greatly injured, but not yet destroyed, the legislative log-rolling industry; taken municipal affairs out of the legislature; taxed some corporations that were dodging; in the matter of amendments to the constitution, greatly increased the power and responsibility of the legislature and governor; under the efficient leadership of prominent teachers of the State, the high schools are debating the nominating elections law, proportional representation, people's direct election of United States senators and other live problems in representative government; for the first time in American history the school teacher is taking his rightful place as an educator in the science of government, instead of being a victim in the game of politics; the high schools of Washington are debating whether their State should adopt the initiative and referendum provisions of the Oregon constitution; the voters of the State and cities are taking an interest in their government far greater than

ever before, and growing rapidly to the full measure of their power and responsibility.

The people of Oregon have learned that to get the best results they must do their own governing every day. They know that government is human, not mechanical; that the election of good men for officers is not like winding a clock, which may be safely left to do its work, needing only to be wound again at set times. The voters of Oregon realize that government is rightly named the Ship of State; that governing is like sailing a ship in this, that to steer a straight course they must hold the helm and control their officers all the time.

There is fear of the initiative now among some of the men who helped to establish the system in Oregon, because the people could abuse the power. Officers have been known to abuse power, they say, what may the people not do? But fear is the only sign of such a danger. Capitalized vice, political grafting, legislative log-rolling and corporate tax dodging, thus far, are the only industries in Oregon to confess injury from the people's use of the initiative and referendum powers.

It is probable that some day our initiative plan will be improved by allowing the legislature opportunity to offer a competing measure, both to be submitted to the people at the same election. Hon. Geo. H. Shibley of Washington, D. C., made this suggestion last year. But as to repealing either the initiative or the referendum powers, there is only one opinion in Oregon.